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Mark LeHocky
Senior Vice President, General Counsel

VIA ELECTRONIC MAIL

April 10, 2008

Shawn Leuthold – leuthold@aol.com
Attorney at Law
1671 The Alameda #203
San Jose, CA 95126

James Potepan – jpotenpan@ropers.com
Courtney Curtis – ccurtis@ropers.com
ROPERS MAJESKI
515 South Flower Street, Suite 2100
Los Angeles, CA 90071

Re: Kaku Lab Corp. v. Hot Topic, Inc.: C 07-05297 CRB MED

Dear Counsel:

As you know, I was recently appointed by the United States District Court to serve as the mediator in your case under the court's Mediation program. Pursuant to ADR Local Rule 6-6, I will first conduct a phone conversation with all principal counsel before the formal mediation to discuss the following:

- the procedures to be followed as part of this mediation;
- the nature of your case;
- appropriate dates for the mediation and the anticipated length of the session;
- the parties with settlement authority (including any insurance representatives, if applicable) who will be present at the mediation session;
- your ideas to improve the effectiveness of this session and possible impediments;
- the requirements for your written mediation statements; and
- any questions you have about the mediation program.

Please review carefully all of the court's applicable mediation rules prior to our upcoming phone conversation, and give particular thought to your ideas to improve the effectiveness of this session and possible impediments to a resolution, based upon your knowledge of this dispute and your respective objectives.

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James Potenpan
Courtney Curtis
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Our telephone conference should take roughly 30 minutes. In order to set this conference up, please call my assistant, Charlene Mendibles, at (925) 965-4231 as soon as possible. Charlene has access to my schedule and will confirm an open block of time for a telephone conference, which I would like to complete within the next two weeks. It appears from the docket sheet I received that the Fish Richardson firm is no longer involved in this litigation. If I am incorrect and they remain involved, I ask that defense counsel notify them and Charlene so that they can participate in this call if appropriate.

Before we speak by phone, please ascertain from your clients and any insurers (if applicable) several dates when this mediation may be conducted within the next 60 days. Insofar as the number of available dates on my own schedule over the next few months is very limited, I will need a number of alternative dates from you when we speak. As well, per the Court rules, I will require assurances from you that your clients and any insurance representatives attending the mediation will have full authority to compromise this matter.

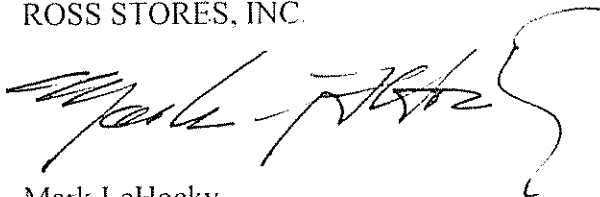
As an additional housekeeping matter, I generally use emails in lieu of written correspondence, and am happy to receive any briefs or other materials the same way providing that they are formatted for easy access electronically.

I am aware of no facts or circumstances that would create an actual or potential conflict of interest under 28 U.S.C. Section 455(a) and (b), or which would otherwise compromise my impartiality or the appearance of impartiality.

I look forward to meeting and assisting you with your case.

Sincerely,

ROSS STORES, INC.

A handwritten signature in black ink, appearing to read 'Mark LeHocky', with a stylized flourish at the end.

Mark LeHocky
Senior Vice President, General Counsel

Cc: Clerk's Office – ADR Unit (Alice_Fiel@cand.uscourts.gov)